

### **Remarks and Arguments**

In response to the restriction requirement made in the action mailed October 9, 2008, the applicant elects Group I for examination, which encompasses claims 45-75. Previously pending claims 76-83 are hereby canceled without prejudice to future prosecution. Applicant reserves the right to pursue the subject matter of the presently canceled claims in one or more divisional applications. The present election is made with traverse.

Applicant submits that there would be no undue burden for the Examiner to search the full scope of the subject matter of claims 45-83. Moreover, Applicant notes that Hulett *et al.* do not disclose "a substantially pure consecutive... polypeptide" as recited in the currently pending claims. Hulett *et al.* have not isolated any polypeptides from the histidine rich glycoprotein (HRGP), but only the whole protein from mouse and rat. Thus, there is no disclosure in Hulett *et al.* of isolated polypeptides derived from the HRGP that also provide an anti-angiogenic effect, as recited in the currently pending claims. As such, Applicant traverses the Examiner's rationale in section 5 of the Restriction Requirement.

As there would be no undue burden to search the full scope of the pending claims, Applicant respectfully requests withdrawal of the Restriction Requirement.

In response to the requirement for a Species Election, Applicant elects the species encompassing SEQ ID NO: 1. Claims 45-49, and 62-75 read on the elected species. The Species Election requirement is made with traverse on the grounds that there would be no undue burden to search each of the claimed species.

Applicant : Claesson Welsh *et al.*  
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Please apply any additional charges, or credit any overpayments, to Deposit Account  
No. 06-1050, referencing Attorney Docket No. 15665-0007US1.

Respectfully submitted,

Date: November 20, 2008

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